

HUMAN SERVICES DEPARTMENT[441]**Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services amends Chapter 156, "Payment for Foster Care," Iowa Administrative Code.

These amendments increase the reimbursement rates for foster family care by 1.31 percent over the rates in effect on June 30, 2010. Legislation in 2010 Iowa Acts, House File 2531, provides for partial restoration of the reimbursement rates that were reduced as a result of Executive Order 19, which were implemented through amendments published in the Iowa Administrative Bulletin on January 13, 2010, as **ARC 8451B**. This increase also affects maintenance payments for adoption subsidies, which are based on foster family care rates.

These amendments do not provide for waivers in specified situations since the amount of the increase is controlled by legislative appropriation.

The Council on Human Services adopted these amendments on June 9, 2010.

The Department finds that notice and public participation are unnecessary because the amount of the increase is set by statute and are impracticable because 2010 Iowa Acts, House File 2531, directs the Department to make this increase effective on July 1, 2010. Therefore, these amendments are filed pursuant to Iowa Code section 17A.4(3).

The Department also finds that these amendments confer a benefit on foster families by increasing reimbursement rates. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)"b"(2), and the normal effective date of the amendments is waived.

These amendments are intended to implement Iowa Code section 234.6 and 2010 Iowa Acts, House File 2526, section 33(4), and House File 2531, section 83(5).

These amendments shall become effective on July 1, 2010.

The following amendments are adopted.

ITEM 1. Amend subrule 156.6(1) as follows:

156.6(1) Basic rate. A monthly payment for care in a foster family home licensed in Iowa shall be made to the foster family based on the following schedule ~~effective January 1, 2010, to June 30, 2010:~~

<u>Age of child</u>	<u>Daily rate</u>
0 through 5	\$15.54 <u>\$15.74</u>
6 through 11	\$16.16 <u>\$16.37</u>
12 through 15	\$17.69 <u>\$17.92</u>
16 or over	\$17.93 <u>\$18.16</u>

ITEM 2. Amend subparagraph **156.6(4)"f"(1)** as follows:

(1) Additional maintenance payments made under this paragraph shall begin no earlier than the first day of the month following the month in which Form 470-4401 is completed and shall be awarded as follows:

1. Behavioral needs rated at level 1 qualify for a payment of ~~\$4.75~~ \$4.81 per day.
2. Behavioral needs rated at level 2 qualify for a payment of ~~\$9.50~~ \$9.62 per day.
3. Behavioral needs rated at level 3 qualify for a payment of ~~\$14.25~~ \$14.44 per day.

ITEM 3. Amend rule **441—156.6(234)**, implementation sentence, as follows:
This rule is intended to implement Iowa Code section 234.38 and 2010 Iowa Acts, House File 2526,
section 33(4), and House File 2531, section 83(5).

[Filed Emergency 6/10/10, effective 7/1/10]

[Published 6/30/10]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/30/10.